

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LEXINGTON INSURANCE COMPANY and
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA,

Plaintiffs,

v.

VIRGINIA SURETY COMPANY, INC.

Defendant.

CIVIL ACTION NO. 04-11109 RGS

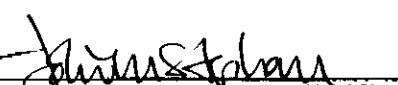
CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 16.1(D)(3)

In accordance with Local Rule 16.1(D)(3), the undersigned authorized representative for defendant Virginia Surety Company, Inc. and its attorneys hereby certify that they have conferred (1) with a view to establishing a budget for the costs of conducting the full course of, and various alternative courses to, the litigation and (2) to consider alternative dispute resolution programs such as those outlined in Local Rule 16.4.


Paul Hennmueller, Esq.

AUTHORIZED REPRESENTATIVE
OF DEFENDANT VIRGINIA SURETY
COMPANY, INC.

Dated: August 31, 2004


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